

November 24, 1998

***Box Patent Application***

Assistant Commissioner for Patents  
Washington, D.C. 20231

Re: U.S. Non-Provisional Utility Patent Application  
Appl. No. To be assigned; Filed: Herewith  
For: **Nucleic Acid Molecules And Other Molecules Associated With Plants**  
Inventors: Joseph R. Byrum and Thomas J. La Rosa  
Our Ref: 38-21(15075)B

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.  
Patent and Trademark Office:

1. Utility Patent Application Transmittal (PTO/SB/05);
2. Form PTO-1082 (in duplicate);
3. U.S. Utility Patent Application entitled:  
  
Nucleic Acid Molecules And Other Molecules Associated With Plants  
  
and naming as inventors:  
  
Joseph R. Byrum and Thomas J. La Rosa  
  
the application comprising:  
  
a. A specification containing:

- (i) 87 pages of description prior to the claims;
  - (ii) 4 pages of claims (17 claims);
  - (iii) a one (1) page abstract; and
  - (iv) a 2003 page sequence listing;
- 4. Sequence listing CD-ROM;
  - 5. Statement Regarding Sequence Submission;
  - 6. An Information Disclosure Statement (IDS);
  - 7. Form PTO-1449 (3 pages) with 8 accompanying documents; and
  - 8. Two (2) return postcards.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

The present application claims priority under 35 U.S.C. § 119(e) to provisional application 60/067,000, filed November 24, 1997.

This patent application is being submitted under 37 C.F.R. § 1.53(b) without Declaration and without filing fee.

Respectfully submitted,

*Lawrence M. Lavin, Jr.*

Lawrence M. Lavin, Jr. (Reg. No. 30,768)

Enclosures

by  
*D. R. Marshall*  
Reg. No. 41,408

Please type a plus sign (+) inside this box →

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(Only for new nonprovisional applications under 37 CFR 1.53(h))</small>		Attorney Docket No. <b>38-21(15075)B</b>	
		First Named Inventor or Application Identifier <b>Byrum</b>	
		Title <b>Nucleic Acid Molecules And Other Molecules Associated With Plants</b>	
		Express Mail Label No.	
<b>APPLICATION ELEMENTS</b> <small>See MPEP chapter 600 concerning utility patent application contents</small>		<b>ADDRESS TO:</b> Assistant Commissioner for Patents Box Patent Application Washington, DC 20231	
<div>1. <input checked="" type="checkbox"/> *Fee Transmittal Form (Form PTO-1082) <small>(Submit an original and a duplicate for fee processing)</small></div> <div>2. <input checked="" type="checkbox"/> Specification <span style="float: right;">[Total Pages <b>92</b> ]</span> <small>(preferred arrangement set forth below)</small><ul style="list-style-type: none"><li>- Descriptive title of the Invention</li><li>- Cross References to Related Applications</li><li>- Statement Regarding Fed sponsored R&amp;D</li><li>- Reference to Microfiche Appendix</li><li>- Background of the Invention</li><li>- Brief Summary of the Invention</li><li>- Brief Description of the Drawings (if filed)</li><li>- Detailed Description</li><li>- Claims</li><li>- Abstract of the Disclosure</li></ul></div> <div>3. <input type="checkbox"/> Drawing(s) (35 USC 113) <span style="float: right;">[Total Sheets <span style="border: 1px solid black; padding: 0 10px;">  </span> ]</span></div> <div>4. Oath or Declaration <span style="float: right;">[Total Pages <span style="border: 1px solid black; padding: 0 10px;">  </span> ]</span><div style="margin-left: 20px;"><div>a. <input type="checkbox"/> Newly executed (original or copy)</div><div>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <small>(for continuation/divisional with Box 17 completed) [Note Box 5 below]</small></div><div>c. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> <small>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</small></div></div></div> <div>5. <input type="checkbox"/> Incorporation By Reference <small>(useable if Box 4b is checked)</small> The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</div>		<div>6. <input type="checkbox"/> Microfiche Computer Program <small>(Appendix)</small></div> <div>7. Nucleotide and/or Amino Acid Sequence Submission <small>(if applicable, all necessary)</small><div style="margin-left: 20px;"><div>a. <input checked="" type="checkbox"/> Computer Readable Copy</div><div>b. <input checked="" type="checkbox"/> Paper Copy (identical to computer copy)</div><div>c. <input checked="" type="checkbox"/> Statement verifying identity of above copies</div></div></div>	
<b>ACCOMPANYING APPLICATION PARTS</b>			
<div>8. <input type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</div> <div>9. <input type="checkbox"/> 37 CFR 3.73(b) Statement <span style="float: right;"><input type="checkbox"/> Power of Attorney <small>(when there is an assignee)</small></span></div> <div>10. <input type="checkbox"/> English Translation Document <small>(if applicable)</small></div> <div>11. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <span style="float: right;"><input checked="" type="checkbox"/> Copies of IDS Citations</span></div> <div>12. <input type="checkbox"/> Preliminary Amendment</div> <div>13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Two) <small>(should be specifically itemized)</small></div> <div>14. <input type="checkbox"/> *Small Entity Statement(s) <span style="float: right;"><input type="checkbox"/> Statement filed in prior application, Status still proper and desired</span></div> <div>15. <input type="checkbox"/> Certified Copy of Priority Document(s) <small>(if foreign priority is claimed)</small></div> <div>16. <input type="checkbox"/> Other:</div>			
<small>*NOTE FOR ITEMS 1 &amp; 14: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).</small>			
<div>17. If a <b>CONTINUING APPLICATION</b>, check appropriate box and supply the requisite information: <div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP)</div><div>of prior application No: <span style="border-bottom: 1px solid black; width: 50px; display: inline-block;"></span> /</div></div><div style="display: flex; justify-content: space-between;"><div>Prior Application Information: Examiner: <span style="border-bottom: 1px solid black; width: 100px; display: inline-block;"></span></div><div>Group/Art Unit: <span style="border-bottom: 1px solid black; width: 100px; display: inline-block;"></span></div></div></div>			
<b>18. CORRESPONDENCE ADDRESS</b>			
<div><input type="checkbox"/> Customer Number or Bar Code Label <span style="float: right;">or <input checked="" type="checkbox"/> Correspondence address below</span></div> <div style="text-align: center; margin-top: 5px;"><small>(Insert Customer No. or Attach bar code label here)</small></div>			
NAME		Lawrence M. Lavin, Jr. Monsanto Company	
ADDRESS		700 Chesterfield Parkway North, BB4F	
CITY	St. Louis	STATE	Missouri
COUNTRY	US	TELEPHONE	(314) 737-6670
		ZIP CODE	63198
		FAX	(314) 737-6047
Name (Print/Type)		Lawrence M. Lavin, Jr.	
Signature		Lawrence M. Lavin Jr	
		Registration No.	30,768
		Date	Nov 24, 1998

by (1)ail R. March 41,408

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of

Inventors: Joseph R. Byrum, *et al.*

For: **Nucleic Acid Molecules And Other Molecules Associated With Plants**

Also enclosed are:

- ☒ A 2003 page sequence listing;
- ☒ Sequence Listing CD-Rom
- ☒ Statement regarding sequence submission;
- ☒ An Information Disclosure Statement (IDS); and
- ☒ Form PTO-1449 (3 pages) with 8 accompanying documents

The filing fee has been calculated as shown below:

(Col. 1)		(Col. 2)	SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
FOR	NO. FILED	NO. EXTRA	RATE	FEE		RATE	FEE
BASIC FEE				\$ 380.00	OR		\$ 760.00
TOTAL CLAIMS	17 -20 =	* 0	x 9 =		OR	x 18 =	
INDEP. CLAIMS	5 -3 =	* 2	x 39 =		OR	x 78 =	156.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			+ 130 =		OR	+ 260 =	
			TOTAL		OR	TOTAL	\$916.00

\*If the difference in Col. 1 is less than zero, enter "0" in Col. 2

- Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_. A duplicate copy of this sheet is attached.
- A check in the amount of \$ \_\_\_\_\_ to cover the basic filing fee is enclosed.
- The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. \_\_\_\_\_. A duplicate copy of this sheet is attached.
  - Any additional filing fees required under 37 CFR 1.16.
  - Any patent application processing fees under 37 CFR 1.17.
- The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. \_\_\_\_\_. A duplicate copy of this sheet is enclosed.
  - Any patent application processing fees under 37 CFR 1.17
  - The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
  - Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Date Nov 24, 98

Lawrence M. Lavin Jr  
Lawrence M. Lavin, Jr. (Reg. No. 30,768)

by  
D. R. Marsh  
Reg. No. 41,408